

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

MDL NO. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

ASSERTIO THERAPEUTICS, INC.'S STATUS REPORT

In accordance with this Court's June 23, 2022 Order setting a follow-up status conference on September 23 regarding certain defendants not previously involved in MDL bellwether tracks, Assertio Therapeutics, Inc. (f/k/a Depomed, Inc.) respectfully submits this status report.

After the June 22, 2022 status conference, Assertio met by video conference with certain members of the PEC. The parties had a candid and constructive discussion regarding Assertio's position set forth in its June 16, 2022 status report and the possibility of a non-litigated resolution of the claims filed against Assertio. The parties have exchanged emails since that time and are discussing specific categories of documents that Assertio may provide. Assertio intends to remain engaged in the ongoing informal discussions with PEC counsel. Assertio continues to believe that formal mediation is unnecessary for such further discussions to bear fruit. Additionally, because discussions with PEC counsel are ongoing and for the reasons set forth in Assertio's June 16 status report, Assertio does not believe that it is either necessary or useful to include Assertio in any bellwether litigation.

Date: September 21, 2022

Respectfully submitted,

BAKER BOTTS L.L.P.

By: /s/ Kevin M. Sadler

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CERTIFICATE OF SERVICE

I certify that I caused a true and correct copy of the foregoing document to be electronically filed on September 21, 2022, which will send notification of such filing through the Court's CM/ECF system to all counsel of record.

/s/ Kevin M. Sadler

Kevin M. Sadler